



Rep. La Shawn K. Ford

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09700HB1210ham001

LRB097 07729 AJ0 66608 a

1 AMENDMENT TO HOUSE BILL 1210

2 AMENDMENT NO. _____. Amend House Bill 1210 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the State
5 Employment Application Act.

6 Section 5. Definitions. In this Act:

7 "Application for State employment" means a written or
8 electronic form submitted by an individual who is seeking
9 employment with a State agency. An application form may seek
10 information regarding an individual applicant's credentials,
11 educational and prior work history, training, and other
12 information pertinent to an assessment of the applicant for
13 employment with the State. For purposes of this Act, the term
14 "application" does not include testing materials or forms
15 requesting a candidate's permission to perform a background
16 check.

1 "State agency" has the meaning ascribed to it in Section
2 1-7 of the Illinois State Auditing Act.

3 Section 10. State employment application. Subject to the
4 exception set out in Section 25 of this Act, an application for
5 State employment may not contain any question as to whether the
6 applicant was convicted of or placed on supervision for a
7 criminal offense.

8 Section 15. Criminal background checks permitted. Nothing
9 in this Act shall be construed to prohibit a State agency from
10 conducting a criminal background check of an applicant for
11 State employment.

12 Section 20. Timing and manner of criminal background
13 inquiry. Except as otherwise required by State or federal law,
14 nothing in this Act shall be construed to prohibit a State
15 agency from requiring an applicant to complete a release form
16 that grants to the State the applicant's permission to conduct
17 a background check. This background check release form and any
18 form other than an initial application form may inquire as to
19 the applicant's criminal conviction history. This background
20 check release form and the inquiry into an applicant's criminal
21 background may not be required of an applicant until after the
22 applicant has been interviewed for a position or has been
23 conditionally offered a position.

1 Section 25. Application of federal or State law. If federal
2 or State law disqualifies a person convicted of certain
3 offenses from holding a position, an application for that
4 position may inquire as to whether the applicant has been
5 convicted of a disqualifying offense. If an applicant is
6 applying for a position of peace officer as defined in Section
7 2-13 of the Criminal Code of 1961, an application for that
8 position may inquire as to whether the applicant has been
9 convicted of a disqualifying offense.

10 Section 30. Refusal to hire for conviction of a criminal
11 offense. Nothing in this Act prohibits a decision to refuse to
12 hire on the basis that the applicant has been convicted of a
13 criminal offense.

14 Section 35. Application to current employees. The
15 provisions of this Act do not apply to current State employees
16 or documents they are required to complete for promotions,
17 salary increases, transfers to other agencies, applications
18 for new positions, or any other changes in position or status.

19 Section 99. Effective date. This Act takes effect January
20 1, 2013."